

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN BONILLA, et al.,

Plaintiffs,

v.

NEVILLE STRUCTURES, et al.,

Defendants.

No. 05-3410 CW

ORDER ADOPTING
MAGISTRATE JUDGE'S
REPORT AND
RECOMMENDATION RE:
PLAINTIFFS' MOTION
FOR DEFAULT
JUDGMENT AND
ORDERING A NEW
INTEREST
CALCULATION

The Court has reviewed Magistrate Judge Wayne D. Brazil's Report and Recommendation Re: Plaintiffs' Motion for Default Judgment. No objections have been received. The Court finds the Report correct, well-reasoned and thorough. The Court adopts it in every respect. Accordingly, the Magistrate Judge's Recommendation is adopted as the Order of the Court. Before judgment can be entered, however, Plaintiffs must file an additional evidentiary submission calculating interest. Plaintiffs are ordered to do so within ten days after the date of this order.

Plaintiffs are reminded that once judgment in this case is entered, they will be barred by the doctrine of res judicata from

1 recovering additional delinquent payments for the relevant time
2 period that they may discover they are owed through an audit. See
3 Int'l Union of Operating Engineers v. Karr, 994 F.2d 1426, 1430
4 (9th Cir. 1993).

5 **Plaintiffs shall serve a copy of this Order on Defendants**
6 **immediately.**

7 IT IS SO ORDERED.

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10 Dated: 5/15/06



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12 CLAUDIA WILKEN
13 United States District Judge
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